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9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 IN THE MATTER OF THE SEARCH OF:
SUBJECT DEVICES 1-20 AS
13 IDENTIFIED IN ATTACH. A THAT
WERE SEIZED ON 05/24/2018, AND
14 PRESENTLY IN THE CUSTODY OF THE
FEDERAL BUREAU OF INVESTIGATION
15 IN LOS ANGELES, CALIFORNIA

No. 18-1592M

GOVERNMENT'S EX PARTE APPLICATION
FOR FIRST EXTENSION OF TIME WITHIN
WHICH TO RETAIN AND SEARCH DIGITAL
DEVICES; DECLARATION OF KAREN I.
MEYER

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18 The United States of America, by and through its counsel of
19 record, Assistant United States Attorney Karen I. Meyer, hereby
20 applies for an order extending by 120 days from October 18, 2018, the
21 time within which the government may retain and search digital
22 devices seized pursuant to a federal search warrant.

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DECLARATION OF KAREN I. MEYER

I, Karen I. Meyer, hereby declare and state:

1. I am an Assistant United States Attorney assigned to this investigation for United States Attorney's Office for the Central District of California.

2. This declaration is made in support of a request for an order permitting the government to retain and search, pursuant to the terms of the original warrant in this matter, for an additional 120 days from October 18, 2018, the following digital devices seized pursuant to the warrant described below (the "SUBJECT DIGITAL DEVICES"):

a. One gray colored Lenovo laptop 120S-14IAP, model name 81A5, bearing serial number YD03RAWW ("SUBJECT DEVICE 1");

b. One gray colored Dell Inspiron laptop, model number PP20L, bearing serial number (01)07898349891747 ("SUBJECT DEVICE 2");

c. One black HP computer, model TPC-F025-SF, bearing serial number MXL2380LKR ("SUBJECT DEVICE 3");

d. One black Toshiba hard drive, bearing serial number 64DATZX4T18B, 2TB capacity ("SUBJECT DEVICE 4");

e. One black Toshiba hard drive, bearing serial number 28LBTZVBT10F, 1TB capacity ("SUBJECT DEVICE 5");

f. One black Toshiba hard drive, model number HDDR320E03X, bearing serial number 58LST2GDTC73, 320GB capacity ("SUBJECT DEVICE 6");

g. One white colored Nikon Camera, model Coolpix S33, bearing serial number 30110184, 25MB internal storage ("SUBJECT DEVICE 7");

1 h. One black Canon camera, model number EOS 5D Mark III,
2 bearing serial number 332022001369 with internal storage capability
3 ("SUBJECT DEVICE 8");

4 i. One Sony premium mini digital video cassette bearing
5 model marking number 04HC2304H 1714 ("SUBJECT DEVICE 12");

6 j. One 16 GB Lexar Platinum II SD Card, recovered from
7 SUBJECT DEVICE 7 ("SUBJECT DEVICE 13");

8 k. One T-Mobile SIM card, bearing Integrated Circuit Card
9 Identifier ("ICCID") 260410029431705 ("SUBJECT DEVICE 14");

10 l. Approximately 180 miscellaneous compact discs
11 consisting of CDs and DVDs (collectively, "SUBJECT DEVICE 15");

12 m. One black iPhone 5 cellular telephone, bearing model
13 number A1426 and International Mobile Equipment Identity ("IMEI")
14 013333006462394 ("SUBJECT DEVICE 18");

15 n. One black Alcatel cellular telephone, bearing model
16 number 5065N and IMEI 014705000643203 ("SUBJECT DEVICE 19");

17 o. One silver iPhone 5 cellular telephone, bearing model
18 number A1549 and IMEI 356986067061788 ("SUBJECT DEVICE 20"); and

19 p. One mini digital video cassette, bearing model marking
20 number 53HC4407E 0929, which was inside SUBJECT DEVICE 10, the
21 Panasonic camcorder ("SUBJECT DEVICE 21").

22 3. On May 24, 2018, officers with the Los Angeles Police
23 Department ("LAPD") executed an arrest and search warrant, number
24 CC18-79323, signed by the Honorable S. Armstead of the Los Angeles
25 County Superior Court, authorizing the search of MIGUEL ANGEL BATZ,
26 JR.'s residence, located at 2937 South Thurman Avenue, Los Angeles,
27 California, and his business, located at 22025 South Avalon
28 Boulevard, Carson, California. The SUBJECT DEVICES were seized and

1 on June 13, 2018, were transferred to the custody of the Federal
2 Bureau of Investigation ("FBI").

3 4. On June 20, 2018, FBI Special Agent ("SA") Emily Tripp
4 obtained a federal search warrant issued by the Honorable Patrick J.
5 Walsh, United States Magistrate Judge, authorizing the search of
6 SUBJECT DEVICES 1-20 that were seized on May 24, 2018. The warrant,
7 which is incorporated herein by reference, authorized the seizure of
8 digital devices from the SUBJECT PREMISES for a period of 120 days
9 from the issuance of the federal warrant to allow the government to
10 search such devices for evidence of violations of Title 18, United
11 States Code, § 2251 (a), (e), attempted production of child
12 pornography; Title 18, United States Code, § 2252A(a)(2)(A), (b)(1),
13 attempted receipt of child pornography; and Title 18, United States
14 Code, § 2433(b), enticement.

15 5. This is the first request for an extension. The current
16 deadline by which the government must complete its review of the
17 SUBJECT DIGITAL DEVICES is October 18, 2018.

18 6. Based on information provided to me by the agent assigned
19 to this matter, I understand that following the issuance of the
20 federal search warrant, the seized digital devices were turned over
21 to the FBI's Computer Analysis Response Team ("CART") in Los Angeles.
22 The CART Agent assigned to image the devices was able to complete the
23 images and upload them into a forensic search tool, which allows the
24 case agent to identify known images of child pornography as well as
25 label all other photographs on the SUBJECT DIGITAL DEVICES as
26 pertinent or non-pertinent.

1 7. For the following reasons, the government is requesting an
2 additional 120 days from October 18, 2018, to complete its review of
3 certain of the SUBJECT DEVICES:

4 a. The forensic review of digital devices is time
5 consuming. Agents cannot simply turn on computers and review their
6 contents because merely turning on a computer and reviewing its
7 contents changes the data on the computer. Specialized computer
8 software is therefore needed to ensure that evidence remains in a
9 pristine and usable condition, and is not affected by the review
10 process. The review also must be conducted by agents who have
11 received specialized training to ensure that the review is done
12 thoroughly and in a forensically sound fashion. This process takes
13 substantial time.

14 b. On August 13, 2018, SA Tripp was informed the case
15 files were available to view on the FBI CART server. The SUBJECT
16 DEVICES 1-6 contain approximately 6952 gigabytes of information.
17 Based on her training and experience, SA Tripp knows that one
18 gigabyte could hold the contents of about ten yards of books on a
19 shelf. One hundred gigabytes could hold an entire library floor of
20 academic journals.

21 c. SA Tripp has bookmarked 296 GB of data from SUBJECT
22 DEVICES 1-6 as having evidentiary value and continues to review
23 SUBJECT DEVICES 1-6. SA Tripp has completed the review process for
24 SUBJECT DEVICES 9-11 and 16-17.¹ SUBJECT DEVICES 9 and 10 do not

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26 ¹ **SUBJECT DEVICE 9** is a black Canon camcorder, bearing serial
27 number 422250100022, 32GB internal storage. **SUBJECT DEVICE 10** is a
28 Panasonic camcorder, bearing model number PV-GS80. **SUBJECT DEVICE 11**
is one Sony premium mini digital video cassette bearing model marking
number 04HC2304H 1714. **SUBJECT DEVICE 16** is a 16 GB San Disk Ultra

1 contain any evidence within the scope of the warrant.² SUBJECT
2 DEVICES 11, 16 and 17 do contain evidence within the scope of the
3 warrant and, therefore, can be retained.

4 d. On August 10, 2018, SA Tripp submitted SUBJECT DEVICE
5 21 to the Regional Computer Forensic Lab ("RCFL") to be unlocked for
6 review. The RCFL uses specialized computer software to decrypt
7 passcodes. This process can take a significant amount of time
8 because there is a waiting period between decryption attempts.

9 e. Between August 13, 2018, and August 17, 2018, SA Tripp
10 was attending the Dallas Crimes Against Children Conference in
11 Dallas, Texas. Between September 11, 2018, and September 14, 2018,
12 SA Tripp was attending the Child Sex Trafficking Awareness and
13 Response Training Program in Whittier, California.

14 f. From June 22, 2018, to October 12, 2018, SA Tripp
15 began a preliminary review of SUBJECT DEVICE 18. SUBJECT DEVICE 18
16 contains approximately 37,233 timeline events, which includes 18,689
17 written communications, and approximately 44,000 images. In some of
18 the written communications, BATZ tells an unidentified person he had
19 sex with a 16-year-old female. In another written communication,
20 BATZ obtains pornographic videos from a person who identifies herself
21 (and law enforcement has confirmed) as 16 years old and sends the 16-
22 year-old a video of himself masturbating.

23
24 SD card, recovered from SUBJECT DEVICE 8. **SUBJECT DEVICE 17** are
25 three 16 GB San Disk Ultra SD Cards, recovered from a desk drawer.

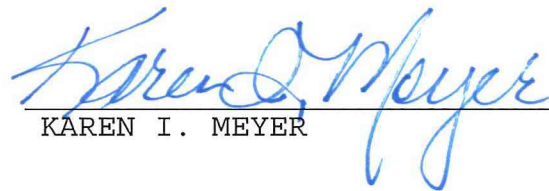
26 ² The government is not able to return SUBJECT DEVICES 9 and 10
27 to Mr. Batz because it has determined that Mr. Batz failed to appear
28 for arraignment in state court because he fled the United States for
Guatemala. Mr. Batz does not have assigned defense counsel to whom
his property could be returned. He would have been appointed counsel
at the arraignment hearing.

1 g. On October 15, 2018, SA Tripp began reviewing SUBJECT
2 DEVICE 15, which is 180 CDS. In a CD marked "pics 5/08, some d-
3 loads," SA Tripp observed multiple images of a prepubescent blonde
4 female in a bra and underwear in suggestive positions.

5 h. Once the initial review is completed by the Case
6 Agent, the images must be processed by the CART Agent and uploaded
7 into a separate forensic search tool for final review and processing.
8 During this final review of the devices, images and videos are
9 sorted, bookmarked, and labeled based both on the respective content
10 as well as the particular SUBJECT DEVICE seized. In addition to
11 searching and labeling images and videos, this secondary forensic
12 search tool is used, among other things, to search documents, pdf
13 files, email accounts, Internet searches, and chat logs. The
14 preliminary review must be completed prior to this secondary review.

15 I declare under penalty of perjury under the laws of the United
16 States of America that the foregoing is true and correct.

17 DATED: October 17, 2018

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20 KAREN I. MEYER
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